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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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VU, THONG H

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		09/707,140	AHO, OUTI
		Examiner	Art Unit	
		Thong H. Vu	2419	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 January 2009</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4,7-11,15,17,35,36,38-40,42-44,47-51 and 53-61* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4,7-11,15,17,35-36,39-40,42-44,47-51,53-6* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All   b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

1.   Claims 1-4,7-11,15,17,35-36,38,39-40,42-44,47-51,53-61 are pending.

Response to Arguments

2.   The Double Patenting rejection has been withdrawn.

3.   Applicant's arguments filed 1/29/09 have been fully considered but they are not

persuasive to overcome the prior art.

       a. Applicant argues the user profile information related to the user 's references

not to the properties of the wireless terminal.

       Examiner points out the prior art taught 'the user profile may specify preferred

customization properties of device [Theimer, col 27 line 20-25].

       b. Applicant argues the prior art does not teach "receiving and storing multimedia

messages" and "identifying by server at least one component of message which the

wireless terminal can handle according to the retrieved properties of the wireless

terminal".

       Examiner points out the prior art taught "retrieval and recorded onto a compact

disc" [Bull, col 13 lines 12-18]; and "the Badge server checks for affected callback

registrations, performs any necessary callback to interested clients" [Theimer, col 21

lines 9-14]; and "Registration include an RPC handle that can be used to contact the

agent representing the local object for further information or interaction for customized

registrations. The agent can choose the answer queries based on the access control

policies of that agent" [Theimer, col 19 line 42-col 20 lines 3-15]. It's clearly that a server

can check the registration of the client (i.e.: user profile or terminal properties as design

choice) and the RPC request from the client can handle the object or component via the interaction to the location service or Location server.

     c. Applicant argues the prior art does not teach "the actual properties of device".

     Examiner points out the language was not existed in claim language.

     Thus the rejection sustained.

Claim Rejections - 35 USC § 103

     Claims 1-4,7-11,15,17, 35-42, 43-44,47-51, 53-54, 55-59, 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bull et al [Bull 5,901,287] in view of Theimer et al [Theimer 5,544,321].

     Claim 1, Bull discloses A method comprising

     receiving and storing a multimedia message retrieving information (about properties of a wireless terminal) from a user profile for the wireless terminal stored in the server [Bull, mobile devices, PDA, information retrieval and display, interactive multimedia, col 4 lines 6-15; user profile, col 7line 47;col 8 line 64;col 10 line 35; col 12 line 1; stored in the Advertising Datastore 250, Fig-2, col 6 line 67-col 7 line 1];

     identifying by said server at least one component of the multimedia message which the wireless terminal can handle according to the retrieved information (properties of the wireless terminal) [Bull, a network provider or server, col 3 line 31; col 6 line 55; excess capacity, the threshold is met and if satisfactory, col 7 lines 1-10]; <u>and</u>

     transmitting the at least one component and transmitted to the wireless terminal [Bull, email system, col 11 lines 28-32].

However Bull does not explicitly detail the retrieved information as properties of the wireless terminal.

Theimer taught a network environment including a server, mobile communication [Theimer, col 5 lines 59-67]; wireless media [Theimer, col 6 line 49], notifies about change [Theimer, col 9 lines 28-41]; scheduled [Theimer, col 10 line 59]; the user profile may specify customization the properties for the device [Theimer, col 27 lines 15-26].

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the user profile including the property of mobile device as taught by Theimer into the Bull's apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia message to the wireless devices over internet.

4.   Claim 2, Bull discloses at least one bearer for transmission of the at least one component of the multimedia message based on the type of content of the at least one component [Bull, ad/coupon, col 10 line 57].

5.   Claim 3, Bull discloses the selection of at least one bearer is performed in the wireless terminal as inherent feature of mobile device.

6.   Claim 4, Bull discloses transmitting a notification message to the wireless terminal comprising information about at least one property of said at least one multimedia component [Bull, notifies, col 8 line 35].

7.   Claim 7, Bull discloses said information on the properties of the wireless terminal comprises information on the available storage capacity of the wireless terminal [Bull, excess capacity, the threshold is met and if satisfactory, col 7 lines 1-10].

8.   Claim 8, the combination of Bull and Theimer discloses said information on the properties of the wireless terminal comprises information on the capability of the wireless terminal to process multimedia components of a particular type [Theimer, the user profile may specify customization the properties for the device, col 27 lines 15-26].

9.   Claim 9, the combination of Bull and Theimer discloses the capability of the wireless terminal to process multimedia components is defined on the basis of the hardware properties of the wireless terminal and / or the properties of the programs installed in the wireless terminal [Bull, particular advertisement, col 13 line 40] and [Theimer, specify preferred customization properties, col 27 line 25-30].

10.   Claim 10, Bull discloses a maximum time of validity is defined for the information on the properties of the wireless terminal stored in said server as inherent feature of client-server relationship.

11.   Claim 11, Bull discloses transmitting a notification message to the wireless terminal to indicate that a multimedia message has arrived at the server; wherein the notification further comprises a request to update the properties of the wireless terminal; receiving and storing information to update the properties of the wireless terminal terminal stored at the server [Bull, network provider or server, col 3 line 31; col 6 line 55; mobile device, col 4 line 12; notifies, col 8 line 35; update, col 7 line 23].

12.   Claim 15, Bull discloses a WAP terminal is used as a wireless terminal and that a
multimedia message service centre is used as a server [Bull, network provider or
server, col 3 line 31; col 6 line 55; mobile device, col 4 line 12].

13.   Claim 17, Bull discloses the at least one components of the multimedia message
is transmitted without receiving a transmission request from the wireless terminal [Bull,
email message, col 11 line 28].

14.   Claim 53, Bull discloses receiving a Uaprof information (i.e.: user agent profile)
transmission message about the properties of the wireless terminal as inherent feature
of email message.

15.   Claim 54, Bull discloses the Uaprof information transmission message is formed
in accordance with WAP specifications as inherent feature of email message.

Claim 43, Bull discloses A wireless terminal comprising:

      a receiving element for receiving a notification message to indicate receipt of a
multimedia message at a server [Bull, network provider or server, col 3 lines 20-41;
multimedia, col 4 line 15; notifies, col 8 line 35]; and

      transmitter for transmitting a request to the server for transmission of at least one
component of the multimedia message [Bull, specific request, col 12 lines 40].

      Bull also taught the software agents for search and insert advertise/coupon [Bull,
col 10 lines 45-67] and access capacity, when the threshold is met and if satisfactory
[Bull, col 7 lines 1-10].

However Bull does not explicitly detail the request including a component of message without identifying the component which the wireless terminal is able to process.

Theimer taught a network environment including a server, mobile communication [Theimer, col 5 lines 59-67]; wireless media [Theimer, col 6 line 49], notifies about change [Theimer, col 9 lines 28-41]; scheduled [Theimer, col 10 line 59]; the user profile may specify customization the properties for the device [Theimer, col 27 lines 15-26].

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the user profile including the property of mobile device in the request without identifying the component as taught by Theimer into the Bull's apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia message to the wireless devices over internet.

16.   Claim 44, Bull discloses the wireless terminal is configured to select at least one bearer for transmission of at least one component of the multimedia message based on the type of content of the at least one component [Bull, a variety of means: facsimile. Email, text page, voice pager, col 5 lines 50-55].

17.   Claim 47, Bull discloses said information on the properties of the wireless terminal comprises information on the available storage capacity available of the wireless terminal [Bull, access capacity, when the threshold is met and if satisfactory, col 7 lines 1-10].

18.   Claim 48, the combination of Bull and Theimer discloses said information on the properties of the wireless terminal comprises information on the capability of the wireless terminal to process multimedia components of a particular type [Bull, particular advertisement, col 13 line 40] and [Theimer, specify preferred customization properties, col 27 line 25-30].

19.   Claim 49, the combination of Bull and Theimer discloses the capability of the wireless terminal to process multimedia components is specified on the basis of the hardware properties of the wireless terminal and / or on the basis of the properties of the programs installed in the wireless terminal [Theimer, specify preferred customization properties, col 27 line 25-30].

20.   Claim 50, Bull discloses the wireless terminal is configured to transmit information on the properties of the wireless terminal to the server in response to a property information update request in the notification message [Bull, notifies, col 8 line 35; updating, col 8 line 64].

21.   Claim 51, Bull discloses characterized in that the wireless terminal is a WAP terminal as inherent feature of mobile device.

22.   Claim 60, Bull discloses the request includes information to retrieve a Uaprof information as inherent feature of email message.

23.   Claim 61, Bull discloses the wireless terminal is configured to form the Uaprof information transmission message in accordance with WAP specifications as inherent feature of email message.

24.   Claim 35, Bull discloses A server for multimedia messaging service comprising:

a receiving element for receiving a multimedia message [Bull, multimedia, col 4 line 15];

a data storage for storing a user profile (comprising information on properties of a wireless terminal) [Bull, user profile, col 4 line 26];

determining at least one component of the multimedia message which the wireless terminal can handle according to the retrieved information and a transmitting element for transmitting to the wireless terminal the at least one component of the multimedia message [Bull, excess capacity, the threshold is met and if satisfactory, col 7 lines 1-10; email system, col 11 lines 28-32].

However Bull does not explicitly detail

a user profile including the properties of the wireless terminal ; and

a control unit for retrieving information about properties of the wireless terminal stored in the data storage;

Theimer taught a network environment including a server, mobile communication [Theimer, col 5 lines 59-67]; wireless media [Theimer, col 6 line 49], notifies about change [Theimer, col 9 lines 28-41]; scheduled [Theimer, col 10 line 59]; the user profile may specify customization the properties for the device [Theimer, col 27 lines 15-26].

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the user profile including the property of mobile device in the request without identifying the component as taught by Theimer into the Bull's apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia

message to the wireless devices over internet.

25.   Claim 36, Bull discloses the server is configured to comprises transmit a

notification message to the wireless terminal comprising information about at least one

property of said at least one multimedia component [Bull, notifies, col 8 line 35].

26.   Claim 38, Bull discloses a maximum time of validity is specified for said

information on at least one property of the wireless terminal stored in said server [Bull,

specific request, col 12 line 39].

27.   Claim 39, Bull discloses the server is further configured to transmit a notification

message to the wireless terminal to indicate that a multimedia message has arrived

[Bull, notifies, col 8 line 35], the notification message further comprises a request to

update the properties of the wireless terminal and to receive and store information to

update the properties of the wireless terminal at the data storage [Bull, profile updating,

col 8 line 64].

28.   Claim 40, Bull discloses the server is configured to examining the validity of said

property information of the wireless terminal stored in said data storage, and request to

update the properties of the wireless terminal in said notification message [Bull, update

the index datastore, col 7 lines 22-30].

29.   Claim 42, Bull discloses characterized in that it is a multimedia message service

centre [Bull, network provider or server, col 3 lines 25-41].

30.   Claim 55, Bull discloses the server is configured to transmit at least one
component of the multimedia message to the wireless terminal without receiving from
the wireless terminal an identification of the at least one component which the wireless
terminal is able to process [Bull, software agent advertising insertion, col 4 line 63].

31.   Claim 56, Bull discloses the server is configured to transmit the at least one
component of the multimedia message without receiving a transmission request from
the wireless terminal [Bull, email message, col 11 line 28].

32.   Claim 57, Bull discloses said information about the properties of the wireless
terminal includes information about the available memory of the wireless terminal [Bull,
excess capacity, col 7 lines 3].

33.   Claim 58, the combination of Bull and Theimer discloses said information about
the properties of the wireless terminal includes information about the capability of the
wireless terminal to process a certain type of component [Theimer, the user profile may
specify customization the properties for the device, col 27 lines 15-26].

34.   Claim 59, the combination of Bull and Theimer discloses the capability of the
wireless terminal to process a certain type of component is defined by at least one of
the following: hardware properties of the wireless terminal, software properties of the
wireless terminal, software properties of an accessory device attached to the wireless
terminal [Theimer, the user profile may specify customization the properties for the
device, col 27 lines 15-26].

Claim Rejections - 35 USC § 103

Claims 1-4,7-11,15,17, 35-42, 43-44,47-51, 53-54, 55-59, 60-61 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Harkins et al [Harkins 5,513,126] in

view of Wallenius et al [Wallenius 7,200,385 B1]

Claim 1, Harkins discloses A method comprising

receiving and storing a multimedia message retrieving information about

properties of a wireless terminal from a user profile for the wireless terminal stored in

the server [Harkins, multimedia, wireless transmission, col 5 line 42; line 66; stored and

retrieval system, col 6 line 20];

identifying by said server at least one component of the multimedia message

which the wireless terminal can handle according to the retrieved information properties

of the wireless terminal [Harkins, a file server, col 5 line 49; terminal 10, Fig 1; displays

properties of the channel device from the receiver's channel profile or Jane Roe's

profile, col 10 lines 55-col11 line 17]; and

Harkins also taught storing said priority of component [Harkins, col 15 lines 10-

12]. However Harkins does not explicitly detail

"transmitting the at least one component and transmitted to the wireless

terminal."

Wallenius taught a multimedia network environment including a mobile terminal

[col 4 lines 50-60]; the properties of the terminal and the service profiles of the

subscriber [col 8 lines 5-35; col 9 lines 5-40]; and the necessary information is

transmitted to where the selection is made [col 6 lines 55-64].

An official Notice is taken that the technique of using a server identified a component and send it to a client device according the properties or configuration or condition of the client device is well-known art [see Pitzel reference, Fig 1, claim 39; Guck reference, col 9 lines 64 et seq.; col 1 1line 60 et seq.]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the necessary information or component is transmitted to where the selection is made as taught by Walllenius into the Harkins's apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia message to the wireless devices over internet.

35.   Claim 2, Harkins discloses at least one bearer for transmission of the at least one component of the multimedia message based on the type of content of the at least one component as inherent feature of multimedia file.

36.   Claim 3, Harkins discloses the selection of at least one bearer is performed in the wireless terminal as inherent feature of mobile device.

37.   Claim 4, Harkins I discloses transmitting a notification message to the wireless terminal comprising information about at least one property of said at least one multimedia component [Harkins, notification, col 3 line 63].

38.   Claim 7, Harkins discloses said information on the properties of the wireless terminal comprises information on the available storage capacity of the wireless terminal as inherent feature of the properties of wireless device .

39.   Claim 8, Harkins discloses said information on the properties of the wireless

terminal comprises information on the capability of the wireless terminal to process

multimedia components of a particular type as inherent feature of multimedia file.

40.   Claim 9, Harkins discloses the capability of the wireless terminal to process

multimedia components is defined on the basis of the hardware properties of the

wireless terminal and / or the properties of the programs installed in the wireless

terminal [Harkins, wireless transmission, col 5 line 66].

41.   Claim 10, Harkins discloses a maximum time of validity is defined for the

information on the properties of the wireless terminal stored in said server as inherent

feature of client-server relationship.

42.   Claim 11, Harkins discloses transmitting a notification message to the wireless

terminal to indicate that a multimedia message has arrived at the server; wherein the

notification further comprises a request to update the properties of the wireless terminal;

receiving and storing information to update the properties of the wireless terminal stored

at the server [Harkins, multimedia, server, col 5 lines 30-60].

43.   Claim 15, Harkins discloses a WAP terminal is used as a wireless terminal and

that a multimedia message service centre is used as a server [Harkins, file server, col 5

l ine 49].

44.   Claim 17, Harkins discloses the at least one components of the multimedia

message is transmitted without receiving a transmission request from the wireless

terminal as inherent feature of broadcast network.

45.   Claim 53, Harkins discloses receiving a Uaprof information (i.e.: user agent

profile) transmission message about the properties of the wireless terminal as inherent

feature of network message.

46.   Claim 54, Bull discloses the Uaprof information transmission message is formed

in accordance with WAP specifications as inherent feature of email message.

47.   Claim 35, Harkins discloses A server for multimedia messaging service

comprising:

a receiving element for receiving a multimedia message [Harkins, multimedia, wireless

transmission, col 5 line 42; line 66; stored and retrieval system, col 6 line 20];

a data storage for storing a user profile comprising information on properties of a

wireless terminal;

        a control unit (i.e.: a server) for retrieving information about properties of the

wireless terminal stored in the data storage; and for determining at least one component

of the multimedia message which the wireless terminal can handle according to the

retrieved information and a transmitting element [Harkins, a file server, col 5 line 49;

terminal 10, Fig 1; displays properties of the channel device from the receiver's channel

profile or Jane Roe's profile, col 10 lines 55-col11 line 17].

        However Harkins does not explicitly detail

        "for transmitting the at least one component and transmitted to the wireless

terminal."

Wallenius taught a multimedia network environment including a mobile terminal [col 4 lines 50-60]; the properties of the terminal and the service profiles of the subscriber [col 8 lines 5-35; col 9 lines 5-40]; and the necessary information is transmitted to where the selection is made [col 6 lines 55-64].

An official Notice is taken that the technique of using a server identified a component and send it to a client device according the properties or configuration or condition of the client device is well-known art [see Pitzel reference, Fig 1, claim 39; Guck reference, col 9 lines 64 et seq.; col 1 1line 60 et seq.]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the necessary information or component is transmitted to where the selection is made as taught by Walllenius into the Harkins' apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia message to the wireless devices over network.

48.   Claim 36, Harkins discloses the server is configured to comprises transmit a notification message to the wireless terminal comprising information about at least one property of said at least one multimedia component [Harkins, notification, col 3 line 64].

49.   Claim 38, Harkins discloses a maximum time of validity is specified for said information on at least one property of the wireless terminal stored in said server.

50.   Claim 39, Harkins discloses the server is further configured to transmit a notification message to the wireless terminal to indicate that a multimedia message has arrived, the notification message further comprises a request to update the properties of

the wireless terminal and to receive and store information to update the properties of the

wireless terminal at the data storage [Harkins, notification, col 3 line 64].

51.   Claim 40, Harkins discloses the server is configured to examining the validity of

said property information of the wireless terminal stored in said data storage, and

request to update the properties of the wireless terminal in said notification message

[Harkins, update in local database, col 9 lines 44-60]

52.   Claim 42, Harkins discloses characterized in that it is a multimedia message

service centre as inherent feature of multimedia file.

53.   Claim 55, Harkins discloses the server is configured to transmit at least one

component of the multimedia message to the wireless terminal without receiving from

the wireless terminal an identification of the at least one component which the wireless

terminal is able to process [see rejection claim 43].

54.   Claim 56, Harkins discloses the server is configured to transmit the at least one

component of the multimedia message without receiving a transmission request from

the wireless terminal [harkins, multimedia , server, col 5 lines 30-60].

55.   Claim 57, Harkins discloses said information about the properties of the wireless

terminal includes information about the available memory of the wireless terminal as

inherent feature of the properties of the wireless terminal.

56.   Claim 58, Harkins discloses said information about the properties of the wireless

terminal includes information about the capability of the wireless terminal to process a

certain type of component as inherent feature of the properties of the wireless terminal.

57.

58.   Claim 59, Harkins discloses the capability of the wireless terminal to process a

certain type of component is defined by at least one of the following: hardware

properties of the wireless terminal, software properties of the wireless terminal, software

properties of an accessory device attached to the wireless terminal as inherent feature

of the properties of the wireless terminal.

59.   Claim 43, Harkins discloses A wireless terminal comprising:

        a receiving element for receiving a notification message to indicate receipt of a

multimedia message at a server [Harkins, multimedia, wireless transmission, col 5 line

42; line 66; stored and retrieval system, col 6 line 20; notification, col 3 line 63]; <u>and</u>

        <u>transmitter for</u> transmitting a request to the server for transmission of at least one

component of the multimedia message [Harkins, a file server, col 5 line 49; terminal 10,

Fig 1; displays properties of the channel device from the receiver's channel profile or

Jane Roe's profile, col 10 lines 55-col 11 line 17].

        However Harkins does not explicitly detail

        the request including a component of message without identifying the component

which the wireless terminal is able to process.

        Wallenius taught a multimedia network environment including a mobile terminal

[col 4 lines 50-60]; the properties of the terminal and the service profiles of the

subscriber [col 8 lines 5-35; col 9 lines 5-40]; service request from user [col 5 line 48];

the necessary information is transmitted to where the selection is made [col 6 lines 55-

64]. It's clearly that a user's request form a multimedia computer including a multimedia

message and the server or service provider using the service profile is selected

according to the subscriber profile and terminal properties to transmit the information or

component to the requestor. Thus the subscriber request no need to identify the

requested component is able to process.

An official Notice is taken that the technique of using a server identified a

component and send it to a client device according the properties or configuration or

condition of the client device is well-known art [see Pitzel reference, Fig 1, claim 39;

Guck reference, col 9 lines 64 et seq.; col 1 1line 60 et seq.]

Therefore it would have been obvious to an ordinary skill in the art at the time the

invention was made to incorporate the necessary information or component is

transmitted to where the selection is made as taught by Walllenius into the Harkins'

apparatus in order to utilize the electronic message processing.

Doing so would provide efficient and intuitive manner to delivery the multimedia

message to the wireless devices over network.

60.   Claim 44, Harkins discloses the wireless terminal is configured to select at least

one bearer for transmission of at least one component of the multimedia message

based on the type of content of the at least one component as inherent feature of the

properties of the network device.

61.   Claim 47, Harkins discloses said information on the properties of the wireless

terminal comprises information on the available storage capacity available of the

wireless terminal as inherent feature of the properties of the network device.

62.   Claim 48, Harkins discloses said information on the properties of the wireless

terminal comprises information on the capability of the wireless terminal to process

multimedia components of a particular type as inherent feature of the properties of the

network device.

63.   Claim 49, Harkins discloses the capability of the wireless terminal to process

multimedia components is specified on the basis of the hardware properties of the

wireless terminal and / or on the basis of the properties of the programs installed in the

wireless terminal [Harkins, properties of channel device, col 10line 65].

64.   Claim 50, Harkins discloses the wireless terminal is configured to transmit

information on the properties of the wireless terminal to the server in response to a

property information update request in the notification message [Harkins, updated in

local database, col 9line 44-60].

65.   Claim 51, Harkins discloses characterized in that the wireless terminal is a WAP

terminal as inherent feature of mobile device.

66.   Claim 60, Harkins discloses the request includes information to retrieve a Uaprof

information as inherent feature of network message.

67.   Claim 61, Harkins discloses the wireless terminal is configured to form the Uaprof

information transmission message in accordance with WAP specifications as inherent

feature of email message.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong H. Vu whose telephone number is 571-272-3904. The examiner can normally be reached on 6:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thong H Vu/
Primary Examiner, Art Unit 2419